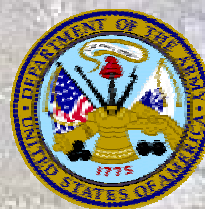


Central Region Review



U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ MAY 2003 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative and regulatory developments in Federal Regions 6 and 7. The *REVIEW* is prepared by Versar, Inc., in support of the Central Regional Environmental Office, to assist you in your compliance efforts. Current and past issues of this *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please email CREO.Regulatory.Specialist@nwk02.usace.army.mil or phone (816) 983-3444 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

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REGIONAL MEETINGS

Texas Environmental Partnership Meeting. This meeting is scheduled for **8 May 2003** in **Austin, Texas**. For further information, please contact the Army Region 6 REC at (816) 983-3450.

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GENERAL INFORMATION

Army Environmental Cleanup Strategy. The Army Environmental Cleanup Strategy that provides a roadmap to guide the Army in attaining its environmental cleanup vision was approved on 28 April 2003. The primary purpose of this Strategy is to identify common objectives for creating consistency and accountability across the Army's Cleanup Program. This Strategy supports the Army Environmental Program and Army Transformation, and it demonstrates the Army's sustained commitment to addressing contamination resulting from past operations. This cleanup strategy is in addition to, but separate and distinct from, the Army Strategy for the Environment, which deals with environmental quality programs supporting the Army's mission.

Electronic Submission of Toxics Release Inventory Reporting Forms. Facilities reporting to EPA the hazardous substances that were released in 2002 can for the first time submit their forms electronically. The TRI reporting forms and instructions and links to TRI software are now available on the agency's web site. Using the agency's software, TRI-Made Easy or TRI-ME, facilities can submit their reports electronically and can verify the information with an electronic signature. Until now, TRI reports could be filed electronically, but signatures verifying the accuracy of the data still had to be collected through the mail.

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TRAINING COURSES AND WORKSHOPS

MDNR Workshops for Online Emissions Inventories. MDNR's Environmental Assistance Office will be offering workshops for users of Missouri's new online Emissions Inventory Questionnaire system in 2003. The Internet-based system for entering emission inventory data will be available for businesses to use for their calendar 2002 emissions reporting. Workshop locations and dates are being finalized. When the workshops are scheduled, they will be announced at <http://www.dnr.state.mo.us/oac/calendar.htm>. For more information, please contact Omer Roberts, MDNR, at (800) 361-4827 or (573) 526-6627.

EPA Environmental Response Training Program. The latest information on all ERTTP training is available at <http://www.ertresponse.com/Training/index.htm> (including specific locations of the training). For further information, please contact Patricia Maxwell, EPA, at Maxwell.Patricia@epamail.epa.gov.

American Indian Cultural Communications Course. This course is designed to help staff at DoD facilities understand the DoD American Indian/Alaska Native Policy and how to implement it at their sites. The following topics are covered: (1) history of Indian laws and the legal base for DoD policy, (2) federal laws and policies impacting DoD relationships with Indian tribes, (3) introduction to tribal concepts and culture, (4) cross cultural communication, (5) strategies for consulting with tribes, and (6) skills for managing conflict. The course is scheduled for **6-8 May 2003** in **Panama City, Florida**. For further information, please contact Donata Renfrow at (678) 357-6513 or donata@mindspring.com.

CHPPM Health Risk Communication Workshops. CHPPM is offering introductory and intermediate health risk communication workshops in 2003 throughout the country. The workshop will show you how to identify, build, maintain and utilize strategic partnerships and plans that will support your organization's mission now and in the future. There are no workshops scheduled in Region 7 for 2003, but there is an Advanced Risk Communication workshop scheduled in Region 6 for **12-15 May 2003** in **San Antonio, Texas**. For more information, please visit <http://chppm-www.apgea.army.mil/risk>; or contact Suaquita Perry, CHPPM, at (410) 436-3515.

Super Energy Savings Performance Contracting Workshop. The U.S. Department of Energy, Federal Energy Management Program, is presenting this free workshop for federal employees involved in energy management, engineering and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. The workshop is scheduled for **20-21 May 2003** in **Indianapolis, Indiana**, and **22-23 July 2003** in **Washington, D.C.** For more information, please call (703) 243-8343.

CECOS Environmental Negotiation Workshop. This course provides instruction on the negotiating and communication skills necessary to establish productive relationships and achieve beneficial agreements with regulatory and public stakeholders. The course stresses the human, organizational and public interaction aspects of building constructive relationships with stakeholders in order to obtain mutually beneficial decisions in environmental decision making. The course is scheduled for **20-22 May 2003** in **Jacksonville, Florida**. For further information, please visit <https://www.cecocos.navy.mil>; or contact David Bell, CECOS, at (805) 982-6528.

Toxics Release Inventory Training. The EPA will be providing training courses for staff involved with TRI reporting under EPCRA section 313. The year's training workshops are designed for first-time filing facilities and staff with limited TRI experience. Workshops last one day and will occur during **June 2003**. Training dates and locations are available at <http://www.otis.abtassoc.com/tritraining/TRIReg.exe>.

2003 Learning Together Workshop. The Multi-State Working Group on Environmental Management Systems and TCEQ are hosting this workshop, scheduled for **2-3 June 2003** in **San Antonio, Texas**. Session topics at the hands-on workshop include Leading By Example: Decisions that Produce Environmental Value; Community and

Environmental Group Engagement and Participation; Leveraging EMSs and Innovation for Business Value; Aligning Environmental Protection and Homeland Security; Unexpected Benefits of EMS Adoption; Trade and Trans-National Ownership: Borderline Impacts and Environmental Performance; Innovation, Involvement and Incentives; The Compliance Mindset: Changing Minds, Changing Performance; Environmental Imagination and Ingenuity; and Corporate Governance. For more information, please visit <http://www.iwrc.org/mswg/lt2003/ltconf2003.cfm>.

2003 Army Water Issues Workshop. The Army is sponsoring this water issues workshop for Army environmental personnel to increase the understanding of the requirements and challenges of the CWA and SDWA management at all levels of Army organization. The workshop will include presentations relevant to installation environmental concerns such as DoD perspective and insight, technical and regulatory updates, lessons learned at installations, and panel discussions. The final agenda is being developed. The workshop is scheduled for **2-5 June 2003 in Albuquerque, New Mexico**. For more information, please visit <http://dm.westonproject.net/wiw/>; or contact Kristin MacAulay at (937) 384-4242 or Kristin.MacAulay@westonsolutions.com.

Natural Resources Compliance Course. This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. The course addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and interservice cooperation. This is an ISEERB approved course. The course is scheduled for **10-13 June 2003 in Charleston, South Carolina**. For more information or to register, please visit <https://www.cecos.navy.mil>.

Historic Preservation Law and Section 106 Compliance Course. This course emphasizes legal compliance (the National Historic Preservation Act Section 106 process) through the use of actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes, but is not limited to, the stewardship role, use of historic properties, and communications with related oversight agencies. This is an ISEERB approved course. The course is scheduled for **8-10 July 2003 in West Point, New York**, and **23-25 September 2003 in Newport, Rhode Island**. For more information or to register, please visit <https://www.cecos.navy.mil>.

EPA Region 7 EMS Workshop. The EPA developed "Designing Your EMS: A Federal Facilities Workshop" for federal facility environmental managers and staff who have responsibilities for implementing EO 13148, "Greening the Government Through Leadership in Environmental Management." Workshop attendees will learn what constitutes the basic elements of an EMS and what steps are required in order to accomplish the implementation of an EMS at their facilities. This workshop is scheduled for **5-7 August 2003 in Kansas City, Kansas**. The Army will hold an EMS breakout session the afternoon of 7 August 2003, following the workshop. For more information, please contact Diana Jackson, EPA, at (913) 551-7744 or jackson.diana@epa.gov.

Federal Government EMS Design, Implementation and Internal Audit Workshops. This workshop program represents a comprehensive, practical, living implementation model. In EMS Design and Implementation Workshop 1, participants will be able to customize the EMS model for their agency, evaluate what they have now and go about implementing an effective and consistent management system. In EMS Internal Audit Workshop 2, participants will practice audit skills and be provided audit methodologies that align with the EMS procedures presented in Workshop 1, or methods can be designed to fit specific EMS designs brought into the workshop by participants. Workshop 1 has already occurred. Workshop 2 is scheduled for **6-8 August 2003 in Washington, D.C.**, and **13-15 August 2003 in Seattle, Washington**. For further information, please contact Margaret Takaki at (360) 385-9784 or mtakaki001@earthlink.net.

Bi-National Cultural Resource Law Enforcement Along the U.S./Mexico Border Training. Southwest Strategy's U.S./Mexico Relations Work Group is presenting this training on **19-21 August 2003 in Rio Rico, Arizona**. Attendees will be presented an overview of the Archeological Resources Protection Act and the serious looting problem of archeological sites on Indian and federal lands in the United States; both U.S. and Mexico representatives will make presentations about relevant laws and initiatives protecting cultural resources from illicit smuggling across the U.S./Mexico border; and an update on emergent border issues, including an extended session on Homeland Security will be presented. For further information, please contact Garry Cantley, Bureau of Indian Affairs, at (602) 379-6750.

12th Annual ITAM Workshop. The theme for the 2003 ITAM Workshop is "Common Dirt – Make It Work." For the fifth consecutive year, the workshop will include a GIS Day. The theme for GIS Day is "Supporting Military Readiness Through GIS." Hosted by Fort Bliss, Texas, the workshop is scheduled for **18-23 August 2003 in El**

Paso, Texas. For further information, please visit <http://www.army-itam.com/workshop/12th/workshop.jsp>.

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CONFERENCES AND SYMPOSIUMS

Texas Environmental Trade Fair. This annual event is Texas' premier environmental educational forum. Educational tracks are designed to assist everyone, including local governmental officials, industry professionals, engineers, educators, and environmental consultants. The tracks are conducted by TCEQ experts and invited authorities from industry and academia. The focus is on solutions to Texas' problems in accordance with Texas' environmental rules and statutes. The trade fair is scheduled for **5-7 May 2003** in **Austin, Texas**. A Texas Environmental Partnership meeting is scheduled for 8 May, following the trade fair. For further information about the trade fair, please visit <http://www.tnrcc.state.tx.us/exec/sbea/etf/etf.html>; or contact the Event Coordination and Education Section at (512) 239-3150 or etfc@tnrcc.state.tx.us.

2003 Region 7 Environmental and Safety Symposium. This symposium is a business and industry-focused conference that reaches beyond the compliance stage and into environmental policy and corporate management. Presented by Associated Industries of Missouri, the symposium is scheduled for **8-9 May 2003** in **Kansas City, Missouri**. Symposium topics include (1) new and innovative ideas/success stories, (2) small business/one person environmental health and safety, (3) air compliance/enforcement, and (4) water compliance/enforcement. For further information, please visit <http://www.aimo.com/events.htm>. The CREO will be represented at this symposium. If you would like information related to the proceedings, please call (816) 983-3548.

U.S. Department of Interior Environmental Conference. The annual DOI Conference on the Environment will be held **13-15 May 2003** in **Phoenix, Arizona**. Hosted by USFWS, the conference theme is "Partnering for Environmental Stewardship: Resource Conservation for the Future." For further information, please visit <http://www.doi.gov/conference/environment>.

11th Annual Global Demilitarization Symposium and Exhibition. The Joint Ordnance Commanders Group and NDIA will conduct this symposium **19-22 May 2003** in **Sparks, Nevada**. This event continues to support the DoD in efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda will focus on the global challenges and successes experienced in the disposition of energetic materials. For further information, please contact Tim Becker or Dawn Harper, NDIA, at (703) 247-2573, or email tbecker@ndia.org or dharper@ndia.org.

EPA Region 6 PCB Conference. EPA Region 6 will host a PCB Conference in **Dallas, Texas**, on **19-23 May 2003**. The conference is designed to help industry, government facilities, and other regulated entities better understand federal PCB rules and requirements, and increase awareness of the sources of PCBs. For further information, please visit <http://www.epa.gov/region6/6en/a/pcb/03-pcbconf.htm>; or email roberts.lou@epa.gov or phone (800) 444-2326.

Real World Clean Air Symposium. This tri-service and federal agency forum is scheduled for **20-22 May 2003** in **Seattle, Washington**. Topics to be covered include installation sustainability, EMSs, NAAQSs, installation air program management, pollution prevention, conformity/NEPA, legal issues, and homeland security. For further information, please visit <http://www.usasymposium.com> or call (937) 254-7950. The CREO will be represented at this symposium. If you would like information related to the proceedings, please call (816) 983-3548.

Air and Waste Management 96th Annual Conference and Exhibition. The theme of this conference is "Environment in the Balance...The Journey Ahead," and the focus will be on "Energy, Economy and Global Challenges." The conference is scheduled for **22-26 June 2003** in **San Diego, California**. For more information, please visit <http://www.awma.org>.

National Forum on Water Quality Trading. This forum is scheduled for **22-23 July 2003** in **Chicago, Illinois**. Learn about market innovations to restore watersheds and meet water quality standards with greater efficiency. You'll learn the state-of-the-art from practitioners and leaders in the agriculture community, state environmental agencies, municipal and industrial dischargers, and other watershed interests. Interactive sessions will answer your questions on water quality trading's potential benefits, implementation challenges and solutions, and what's next for this innovative approach. For further information, please contact Lynda Wynn, EPA, at wynn.lynda@epa.gov.

2nd Annual StormCon 2003. This is a series of seminars and conversations covering water-quality practices, policies, public outreach, program financing, and regulations. The conference is scheduled for **28-31 July 2003** in **San Antonio, Texas**. For further information, please visit <http://www.StormCon.com>; or contact Steve Di Giorgi at (805) 682-1300, ext. 129 or sdigiorgi@forester.net.

2003 Missouri Environmental Conference at the Lake. This conference is presented annually by the Missouri Chamber of Commerce & Industry, MDNR, The Missouri Bar, and the Regulatory Environmental Group for Missouri. This is Missouri's premier environmental gathering, featuring exhibits on the latest environmental products and services; the latest information on compliance with air, water, solid waste, and hazardous waste laws; litigation and ethics updates; enforcement alerts; an open forum with state and federal regulators; and breaking news on hot topics. The meeting also provides the opportunity for interaction with state and federal government representatives, industry experts, and environmental attorneys. This conference is scheduled for **31 July – 1 August 2003** in **Osage Beach, Missouri**. For more information, please contact Cynthia Bushmann at cbushmann@mochamber.org. The CREO will be represented at this conference. If you would like information related to the proceedings, please call (816) 983-3548.

8th Annual Joint Services P2 and HWM Conference and Expo. The 2003 theme is "Sustaining Readiness Through Environmental Stewardship." This is one of the largest conferences of its kind – dedicated to the preservation and improvement of the environment through investment in pollution prevention and proactive management of hazardous waste. The conference provides an open forum for exchanging ideas, success stories, case histories and technologies related to pollution prevention and hazardous waste management. This conference is scheduled for **11-14 August 2003** in **San Antonio, Texas**. For more information, please visit <http://www.p2-hwmconference.com>; or contact Sam Campagna at scampagna@ndia.org.

2003 RCRA National Meeting. The 2003 Resource Conservation and Recovery Act National Meeting, "RCRA: Putting Resource Conservation into RCRA," is scheduled for **12-15 August 2003** in **Washington, D.C.** This year's National Meeting focuses on the Resource Conservation Challenge, which is a major national effort to find ways to conserve natural resources through waste reduction and energy recovery programs. More information is available at <http://www.epa.gov/osw/meeting> or 68 FR 12904 (18 March 2003).

18th Annual Hazardous Materials Management Conference on Household and Small Business Waste. This conference is scheduled for **6-10 October 2003** in **Kansas City, Missouri**. For further information, please visit <http://www.nahmma.org>; or contact John Shidler at (913) 299-0486 or jshi06448@aol.com.

Brownfields 2003 Conference. This conference on brownfields cleanup and reuse will include panel sessions, mobile workshops, Marketplace of Ideas roundtable discussions and individual poster presentations. The conference is scheduled for **27-29 October 2003** in **Portland, Oregon**. For further information, please visit <http://www.epa.gov/brownfields> or <http://yosemite.epa.gov/r10/cleanup.nsf/sites/bf>.

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FEDERAL ACTIONS

EPA FINAL RULES

Approval and Promulgation of Implementation Plans and Approval Under Sections 110 and 112(l); State of Kansas (68 FR 14540; 26 March 2003). The EPA is taking final action to approve a SIP revision submitted by the State of Kansas. This revision applies to small sources and creates a permit-by-rule that provides an alternative for certain small emission sources which otherwise would be required to apply for an operating permit. Small sources not operating at or above the threshold levels which trigger source-specific operating permit requirements are provided an option to operate under the conditions of this permit-by-rule in lieu of applying for the operating permit. This direct final rule will be effective 27 May 2003, unless the EPA received adverse comments by 25 April 2003. For further information, please contact Heather Hamilton, EPA, at (913) 551-7039.

Approval and Promulgation of Implementation Plans; State of Missouri (68 FR 14537; 26 March 2003). The EPA is announcing it is approving a revision to the Missouri SIP that pertains to the control of emissions from surface coating operations in the Kansas City, Missouri, area. This revision clarifies an inconsistency between

the SIP approved version of the rule and the state adopted version. This direct final rule will be effective 27 May 2003, unless the EPA received adverse comments by 25 April 2003. For further information, please contact Wayne Kaiser, EPA, at (913) 551-7603.

Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions (68 FR 17308; 9 April 2003). The State of Oklahoma has applied for Final authorization of the changes to its Hazardous Waste Program under RCRA. The EPA has determined that these revisions satisfy all requirements needed to qualify for Final authorization, and is authorizing the State's changes through this immediate final action. This immediate final rule is effective on 9 June 2003, unless the EPA receives adverse written comments by 9 May 2003. For further information, please contact Alima Patterson, EPA, at (214) 665-8533.

Nebraska: Final Authorization of State Hazardous Waste Management Program Revision (68 FR 17553; 10 April 2003). Nebraska has applied to the EPA for Final authorization of the changes to its hazardous waste program under RCRA. The EPA has determined that these changes satisfy all requirements needed to qualify for Final authorization, and is authorizing the State's changes through this immediate final action. This Final authorization will become effective on 9 June 2003 unless the EPA receives adverse written comment by 12 May 2003. For further information, please contact Lisa Haugen, EPA, at (913) 551-7877.

Standards of Performance for Stationary Gas Turbines (68 FR 17989; 14 April 2003; RIN 2060-AK35). This action promulgates amendments to several sections of the standards of performance for stationary gas turbines. The amendments will codify several alternative testing and monitoring procedures that have routinely been approved by the EPA. The amendments will also reflect changes in nitrogen oxides emission control technologies and turbine design since the standards were originally promulgated. This direct final rule will be effective 29 May 2003, unless the EPA receives adverse comments by 14 May 2003. For further information, please contact Jaime Pagan, EPA, at (919) 541-5340 or pagan.jaime@epa.gov.

Texas: Final Authorization of State Hazardous Waste Management Program Revisions (68 FR 18126; 15 April 2003). The State of Texas has applied for Final authorization of its revisions to its Hazardous Waste Program under RCRA. The EPA has determined that these revisions satisfy all requirements needed to qualify for final authorization, and is authorizing the State's revisions through this immediate final action. This immediate final rule is effective on 16 June 2003, unless the EPA receives adverse written comment by 15 May 2003. For further information, please contact Alima Patterson, EPA, at (214) 665-8533.

Oil Pollution Prevention and Response; Non-Transportation-Related Onshore and Offshore Facilities (68 FR 18890; 17 April 2003; RIN 2050-AC62). The EPA is extending, by 18 months from the dates promulgated in the July 2002 Spill Prevention Control and Countermeasure amendments, the dates for a facility to amend its SPCC Plan and implement the amended Plan (or, in the case of facilities becoming operational after 16 August 2002, prepare and implement a Plan that complies with the newly amended requirements). The compliance deadline date for amendments to spill plans is 17 August 2004. As soon as possible or no later than 18 February 2005, implementation must commence. The EPA is finalizing this extension to, among other things, provide sufficient time for the regulated community to undertake the actions necessary to update (or prepare) their plans in accordance with the amendments. The extension will also avoid a flood of individual extension requests it has become apparent the EPA will otherwise receive. The effective date of this rule is 17 April 2003. For further information, please contact Hugo Paul Fleischman, EPA at 703-603-8769 or fleischman.hugo@epa.gov; or Mark Howard, EPA, at 703-603-8715 or howard.markw@epa.gov.

CREO Counsel Comment: For installations currently affected by SPCC regulations, the extension requires that your plan be reviewed and amended no later than 17 August 2004 and that any necessary changes be implemented no later than 18 February 2005.

OTHER EPA REGULATORY ACTIVITY

Public Water System Supervision Program Revisions for Nebraska (68 FR 18979; 17 April 2003). Notice is hereby given that Nebraska is revising its approved Public Water System Supervision Program. The EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. Therefore, the EPA intends to approve these program revisions. A request for a public hearing must be submitted in writing by 19 May 2003. For further information, please contact Kenneth Deason, EPA, at 913-551-7585.

USFWS REGULATORY ACTIVITY

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Seven Bexar County, Texas, Invertebrate Species (68 FR 17155; 8 April 2003). The USFWS is designating critical habitat for seven endangered species found in Bexar County, Texas. The critical habitat designation totals approximately 1,063 acres in 22 units. The effective date of this rule was 8 May 2003. For further information, please contact Robert Pine, USFWS, at (512) 490-0057.

USAEC Comment: Critical habitat was originally proposed on Camp Bullis (MEDCOM), but USFWS excluded Camp Bullis from critical habitat designation because they have developed a management plan that meets USFWS's three criteria for adequate special management or protection of a listed species. In the Federal Register, USFWS specifically stated that they did not include Camp Bullis lands in the final designation "...because these areas do not meet the definition of critical habitat as stated in section 3(5)(A)(i) of the Act."

Notice of Availability of the Second Revision of the Recovery Plan for the Red-Cockaded Woodpecker (*Picoides borealis*) (68 FR 13719; 20 March 2003). The USFWS is announcing the availability of the second revision of the recovery plan for the Red-Cockaded Woodpecker (*Picoides borealis*). For further information, please contact Ralph Costa, USFWS, at (864) 656-2432.

USAEC Comment: This is of interest to installations where the Red-cockaded Woodpecker is found: onsite at Camp Blanding (ARNG), Leesburg TS (ARNG), Fort Bragg (FORSCOM), Fort Polk (FORSCOM), Fort Stewart (FORSCOM), Sunny Point (MTMC), Fort Benning (TRADOC), Fort Gordon (TRADOC), and Fort Jackson (TRADOC); contiguous to Camp Beauregard (ARNG) and Camp Shelby (ARNG).

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REGION 6 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Arkansas Department of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://legis.state.nm.us/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tnrcc.state.tx.us
Texas Legislature	http://www.capitol.state.tx.us/

ARKANSAS

Legislative/Regulatory Activity

The Arkansas Legislature adjourned on 28 March 2003.

STATE OF ARKANSAS SIGNED LEGISLATION

(NEW) **SB 905 – Solid Waste.** This bill imposes an additional fee at the rate of \$3.00 per truck tire sold on a new automobile. The bill requires solid waste management districts to charge a fee for the collection and disposal of specialty tires. The bill was signed by Governor Huckabee on 15 April 2003.

STATE OF ARKANSAS REGULATORY ACTIVITY

There is no State of Arkansas regulatory activity to report this month.

The Louisiana General Assembly convened 31 March 2003.

STATE OF LOUISIANA PROPOSED LEGISLATION

(NEW) **HB 545 – Emissions, Air Quality.** This bill establishes an exception from permit requirements to operate or to construct air emission sources that emit less than five tons per year and emit less than the minimum rate subject to LDEQ regulations.

(NEW) **HB 741 – Environmental Crimes/Fines.** The current version of this bill grants the secretary of LDEQ authority to issue field citations for minor environmental violations.

(NEW) **HB 742 – Environmental Administrative Procedures.** The current version of this bill requires LDEQ to develop a compliance monitoring strategy designed to achieve meaningful environmental results. The bill requires that the strategy recognize a variety of tools, including (1) self certifications; (2) duration reports; (3) stack testing reports; (4) discharger monitoring reports; (5) semiannual monitoring reports; and (6) on-site inspections.

(NEW) **HB 781 – Water.** This bill requires permittees, licensees, variance holders, or those under compliance orders who discharge under 100,000 gpd to take two grab samples per month. The bill requires that those who discharge 100,000 gpd or more must take a flow proportional sample twice per month. This bill was withdrawn from consideration on 31 March 2003.

(NEW) **HB 807 – Hazardous Waste.** This bill requires that annual fees be assessed until 30 June 2003, to persons who manufacture, use, or store hazardous materials under the Hazardous Materials Information Development, Preparedness and Response Act, also known as the "Right-to-Know" Law. The bill retains current fee amounts, and extends the time such fees shall be assessed to 30 June 2008.

(NEW) **HB 871 – Water Use.** This bill requires licensed water well drillers to give the parish government notice of a proposed well with a capacity of more than five million gpd at least 30 days prior to drilling. The parish government may disapprove the well or take no action.

(NEW) **HB 879 – Hazardous Waste, Civil Liability.** This bill provides for the liability of persons liable for injuries caused by the wanton and reckless disregard for public safety in the storage, handling, or transportation of hazardous or toxic substances.

(NEW) **HB 886 – Air Quality.** This bill authorizes LDEQ to adopt a fee mandated by the Clean Air Act for major sources of air pollution in severe and extreme ozone nonattainment areas.

(NEW) **HB 896 – Environmental Administrative Procedures.** This bill recreates the Department of Natural Resources until 1 July 2009.

(NEW) **HB 1106 – Forestry Issues.** This bill authorizes the imposition of criminal misdemeanor charges, criminal penalties of fines, and up to six months imprisonment for failure to follow certain requirements for the cutting of trees.

(NEW) **HB 1170 – Groundwater Quality, Solid Waste.** This bill requires that plans developed by LDEQ relative to regional sanitary landfills minimize environmental hazards including contamination of ground water through migration. The bill requires that methods used to prevent migration shall be, at a minimum, as effective as horizontal- or vertical-positioned high density polyethylene. The bill prohibits LDEQ from approving innovative hazardous waste cleanup technologies for the prevention of migration unless such technology is, at a minimum, as effective as horizontal- or vertical-positioned high density polyethylene.

(NEW) **HB 1396 – Pesticides.** This bill establishes pesticide fees.

(NEW) **HB 1409 – Air Quality.** This bill requires the Secretary of LDEQ to promulgate rules and regulations providing for permits by rule. The bill requires rules to only authorize emissions of less than 180 days in duration and meet the following conditions: (1) the source is not subject to New Source Review; (2) the source shall comply with the Clean Air Act; (3) the source shall comply with LDEQ's rules and regulations; (4) the use of a permit does not conflict with any federal permit.

(NEW) **HB 1733 – Voluntary Remediation.** This bill establishes defenses to liability for hazardous substance remedial actions.

(NEW) **SB 165 – Hazardous Materials.** This bill prohibits any person who transports a hazardous material in rail freight cars, freight containers, cargo tank cars, or portable tank cars from parking and storing the vehicle or carrier within 1,000 feet of a residence for more than one 24-hour period.

(NEW) **SB 174 – Solid Waste, Permitting.** This bill requires LDEQ to promulgate rules for emergency response standards for solid waste facilities.

(NEW) **SB 224 – Wetlands, Land Use.** This bill requires a Constitutional amendment to authorize the Legislature to limit damages related to rights affected by coastal wetland conservation, management, preservation, enhancement, creation or restoration activities.

(NEW) **SB 402 – Environmental Administrative Procedures.** This bill requires LDEQ to develop a compliance monitoring strategy designed to "achieve meaningful environmental results." The bill requires inspection to be done at a frequency and with methods to ensure this strategy. The bill requires compliance methods to include a variety of tools, including (1) self certifications, (2) duration reports, (3) stack testing reports, (4) discharger monitoring reports, (5) semiannual monitoring reports, and (6) on-site inspections. The bill requires the Department to promulgate regulations which provided for monitoring frequency based upon (1) facility compliance history, (2) location of facility, (3) potential environmental impact, (4) operational practices being steady state or seasonal, and (5) any other relevant environmental, health or enforcement factors.

(NEW) **SB 467 – Forestry Issues.** This bill requires that consent from the owner of trees to cut, fell, destroy, remove, or to divert for sale or use such trees must be in writing and obtained from all owners of trees, if applicable. The bill provides additional requirements related to the buying of timber.

(NEW) **SB 470 – Transportation Restrictions.** This bill makes any person who has obtained an annual special permit for an oversize load and who violates the permit or falsifies information on the application for such special permit subject to the following fines and penalties: (1) first violation is a \$1,000 fine and suspension of permit for five working days; (2) second violation is a \$2,000 fine and suspension of permit for 10 working days; and (3) third violation is a \$3,000 fine and suspension of permit for 30 working days.

(NEW) **SB 573 – Underground Storage Tanks.** This bill requires a landowner to record a notice that an underground storage tank is located on the property in the parish mortgage and conveyance records. The bill authorizes subsequent leases to be rescinded and subsequent sales to be subject to rescission if a landowner fails to record the underground storage tanks notification in the mortgage and conveyance records.

(NEW) **SB 577 – Environmental Administrative Procedures, Environmental Crimes/Fines.** This bill grants the Secretary of LDEQ the authority to issue field citations for minor environmental violations. The bill allows such citations to include civil penalties and compliance orders. The bill authorizes the Secretary of LDEQ to delegate citation authority. The bill states that citations shall not be subject to the requirements established by current law for review of enforcement actions by the Department's chief legal officer. The bill authorizes the Secretary of LDEQ to adopt rules and regulations establishing the field citation program.

(NEW) **SB 594 – Sewage.** This bill requires LDEQ to prohibit residences who use new and reconditioned sewage treatment systems to discharge sewage or treated wastewater onto another landowner's property or where the effluent is likely to run off to another landowner's property without a permit.

(NEW) **SB 757 – Water.** This bill requires the Department of Health and Human Services to issue licenses governing the installation and maintenance of certain wastewater treatment systems.

(NEW) **SB 831 – Hazardous Materials, Cleanup.** This bill establishes certain defenses to liability for hazardous substance remedial actions.

(NEW) **SB 950 – Transportation Restrictions.** This bill establishes penalties for overweight trucks.

(UPDATE) **HB 175 – Water Quality.** The current version of this bill requires a fee be assessed per "metered" connection or "account." The bill exempts metered connections not servicing installations that are not providing drinking water.

STATE OF LOUISIANA PROPOSED RULE

(UPDATE) **Reorganization of Solid Waste Rules (LAC 33:VII).** LDEQ had proposed a rulemaking repealing and replacing LAC 33:VII.Subpart 1, and also repealing LAC 33:VII Subpart 3, in its entirety, to reorganize its solid waste rules. The proposal would have (1) reorganized the regulations in a more user-friendly manner; (2) corrected errors in text; (3) eliminated the Louisiana Resource Recovery and Development Authority in accordance with Act 524 of the 2001 Louisiana Legislative Session; (4) clarified technical requirements for all solid waste facilities; (5) incorporated into regulations geology and groundwater standards currently required by the Department; (6) allowed the Department to establish the numbers and levels of certified operators at a facility; (7) provided more flexibility regarding characterization of subsurface geology; (8) removed language allowing operations at a proposed facility with a temporary permit; and (9) established a basis for the phrase "environmentally sound manner." The proposal was withdrawn 20 March 2003, except for the portion repealing LAC 33:VII.Subpart 3. The remainder of the proposal will be repropose with minor changes later in 2003. *For further information, please contact Cheryl Flory, LDEQ, at (225) 765-0399.*

OTHER REGULATORY ACTIVITY

(UPDATE) **TMDL for Oxygen-Demanding Substances and Associated Allocations for Marsh Bayou and Houston River.** LDEQ adopted a proposal that establishes a TMDL for oxygen-demanding substances and associated allocations for Marsh Bayou and Houston River. The Department established the TMDL based on a seasonal dissolved oxygen standard. The Department plans to use existing non-point source management to improve the dissolved oxygen levels. The adopted TMDL was approved by the EPA 1 July 2002. *For further information, please contact Emelise Cormier, LDEQ, at (225) 765-0355.*

(UPDATE) **Revised Dissolved Oxygen Criteria for Beaucoup Creek, Middle Fork Bayou D'Arbonne, Bayou Cocodrie, and Cocodrie Lake.** LDEQ has adopted a proposal that establishes numerical dissolved oxygen criteria for two Water Quality Management subsegments in the Ouachita Basin (Beaucoup Creek and Middle Fork Bayou D'Arbonne) and two subsegments in the Vermillion-Teche Basin (Bayou Cocodrie and Cocodrie Lake). The EPA approved the Ouachita River Basin TMDL on 1 July 2002. Approval for the Vermillion-Teche Basin is pending. *For further information, please contact Emelise Cormier, LDEQ, at (225) 765-0355.*

(UPDATE) **Revision to the Dissolved Oxygen Criteria for Bayou Courtableau.** LDEQ adopted revisions to the dissolved oxygen criteria for Bayou Courtableau. A Use Attainability Analysis of the Bayou determined that critical periods for dissolved oxygen occur during parts of each year. While Bayou Courtableau exhibits naturally occurring seasonal variations in dissolved oxygen, no changes in designated uses were proposed. The recommended dissolved oxygen criteria changes are 3.0 mg/L May through September, and 5.0 mg/L October through April. The proposal was adopted with an effective date of 20 August 2002. Staff report that since the TMDL was developed for both the old dissolved oxygen summer criterion and the newly adopted dissolved oxygen summer criterion, the TMDL does not have to be resubmitted to the EPA for approval as a result of the approved dissolved oxygen criteria revision. *For further information, please contact Emelise Cormier, LDEQ, at (225) 765-0355.*

(UPDATE) **TMDL Development for Calcasieu Estuary, Contraband Bayou, West Fork Calcasieu River, Houston River, Bayou D'Inde, and Bayou Choupique.** LDEQ has adopted TMDLs for oxygen demanding substances in Contraband Bayou (Stream Segment # 030305), West Fork Calcasieu River (Stream Segment # 030801), Houston River (Stream Segment # 030806), Bayou d'Inde (Stream Segment # 030901), and Bayou Choupique (Stream Segment # 031001). No changes were made in the TMDL following the comment period, leaving the TMDLs for these waterbodies approved by the EPA 1 July 2002 unchanged. *For further information, please contact Emelise Cormier, LDEQ, at (225) 765-0355.*

(UPDATE) **Establishment of Sign Requirements for Used Oil Retailers and Collection Centers (LAC 33:VII).** LDEQ is discussing establishing sign requirements for retailers of motor oil and used oil collection centers. The amendment would require (1) posting a durable, legible sign no smaller than 11" x 14"; (2) inclusion of the oil recycling logo on the sign; (3) inclusion of the 1-800 number for the Department information line on used oil; (4) inclusion of the phrase "conserve energy, recycle oil" (in letters at least 1" in height); and (5) for retailers, the name, location, and hours of a conveniently located collection center. Staff report that the sign requirements will be proposed with the rule establishing a broad identification program for used oil collection sites. Staff report that due to a large number of solid waste regulations that have taken priority over this used oil regulation, publication is postponed indefinitely. Staff report that it is likely that no action will be taken until the next administration comes into office. *For further information, please contact John Rogers, LDEQ, at (225) 765-0168.*

(UPDATE) **General Permit for Water Discharges Resulting from Cleanup of Petroleum USTs.** LDEQ has re-issued the LPDES General Permit (LAG830000), addressing Discharges Resulting from Implementing Corrective Action Plans for Cleanup of Petroleum UST Systems. Coverage under this general permit shall be limited to owners of a site or operators who are implementing a corrective action plan for cleanup of petroleum UST systems at sites located throughout the state of Louisiana and which discharge into the waters of the state. Discharges covered under this permit are treated ground water; purge water from groundwater monitoring wells; tank washwater and ballast waters; wastewater associated with the remediation of petroleum-contaminated soils and groundwater; dewatering releases associated with the excavation of petroleum-contaminated soils; and potentially contaminated storm water. The Department may issue general permits for certain categories of facilities or activities where individual permits are not necessary in order to adequately protect the environment or the public health. The final permit was issued 23 December 2002. *For further information, please contact Carolyn Laney, LDEQ, at (225) 765-5157.*

(UPDATE) **Used Oil Recycling (LAC 33:VII.Chapter 107).** LDEQ is developing a rule to establish a broad identification program for used oil collection sites, which would set minimum reporting standards and would provide for the awarding of funds to local governments to establish local used oil collection programs. Staff report that the Department will restructure the federal guidelines to make the draft easier to read. Staff report that fee requirements will most likely be removed as well as requirements for filter disposal. Staff report that due to a large number of solid waste regulations that have taken priority over this used oil regulation, publication is postponed indefinitely, and it is likely that no action will be taken until the next administration comes into office. *For further information, please contact John Rogers, LDEQ, at (225) 765-0168.*

NOTE: Please see the following USFWS action related to Louisiana under **USFWS REGULATORY ACTIVITY:** Notice of Availability of the Second Revision of the Recovery Plan for the Red-Cockaded Woodpecker (*Picoides borealis*).

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NEW MEXICO

Legislative/Regulatory Activity

The New Mexico Legislature adjourned 22 March 2003.

STATE OF NEW MEXICO SIGNED LEGISLATION

(UPDATE) **HB 25 – Scrap Tires.** This bill increases the annual tire recycling fee imposed in conjunction with motor vehicle registrations by \$0.50 per year. For buses the fee is increased by \$0.25 per wheel. The bill was signed by Governor Richardson on 8 April 2003.

(UPDATE) **HB 235 – Water, Municipal Authorities.** This bill amends the Water and Sanitation District Act to allow Water and Sanitation Districts to be formed in any county within the state. The bill was signed by Governor Richardson on 2 April 2003.

(UPDATE) **HB 260 – Water.** This bill directs the Interstate Stream Commission to develop a comprehensive, coordinated state water plan, including (1) making specific provisions for public notice, review and comment; (2) assessing historic and prevailing surface and ground water uses in the state, including the cumulative impacts of

different water uses; (3) providing strategies for water management; and other water policy issues. The bill was signed by Governor Richardson on 3 April 2003.

(UPDATE) **HB 323 – Facility/Infrastructure Siting.** This bill creates the Office of Base Management and Support. The bill was signed by Governor Richardson on 5 April 2003.

(UPDATE) **HB 403 – Water, Municipal Authorities.** This bill establishes a process for the leasing of water from irrigation projects to municipalities and other public and semi-public entities, in a manner which provides for less oversight by the Office of the State Engineer than applies to other changes in the use of water rights, and which requires approval by the project board of directors. The bill amends the state water code and sets forth in detail the procedures for addressing changes in water use that are associated with a lease of water rights by a municipality or other public or semi-public entity from an irrigation district. The bill deletes the requirement that the state engineer must hold a hearing before an aggrieved person can take an appeal to district court. The bill clarifies that any entity establishing a special waters users' association must be within New Mexico. The bill was signed by Governor Richardson on 8 April 2003.

(UPDATE) **SB 123 – Water.** This bill requires the State Engineer not to approve an application for a change in point of diversion, or place or purpose of use of a water right into or out of an acequia or community ditch, if the commissioners have not approved the change by determining that approval would be detrimental to the acequia or community ditch. The bill outlines steps an applicant must take in processing an application, and provides that if the acequia or community ditch commissioners have not issued a denial within 120 days, the request would be deemed approved. The bill exempts water rights or lands owned by or reserved for an Indian pueblo. The bill gives acequia and community ditch commissioners the authority to approve or deny requests pursuant to rules or bylaws duly adopted by its members. The bill was signed by Governor Richardson on 21 March 2003.

(UPDATE) **SB 410 – Land Use.** This bill sets requirements for County Comprehensive Zoning plans, including (1) land use, (2) transportation, (3) community facilities, (4) public facilities, (5) economic development, (6) housing, and (7) open space. The bill was signed by Governor Richardson on 8 April 2003.

(UPDATE) **SB 554 – Water Conservation.** This bill encourages municipalities to consider ordinances and codes to encourage water conservation and drought management planning. The bill was signed by Governor Richardson on 3 April 2003.

STATE OF NEW MEXICO VETOED LEGISLATION

(UPDATE) **HB 204 – Water.** This bill allows for alternative dispute resolution for water rights determinations. This would be pursuant to the Governmental Alternative Dispute Resolution Act. The bill allows technical experts and witnesses to participate. The bill was vetoed by Governor Richardson on 2 April 2003.

(UPDATE) **SB 382 – Water Disinfection, Water Quality, Risk Assessment.** This bill exempts security vulnerability assessment information concerning drinking water and wastewater facilities from disclosure requirements. The bill was vetoed by Governor Richardson on 2 April 2003.

(UPDATE) **SB 519 – Environmental Administrative Procedures.** This bill determines that if the Secretary of Environment determines that a person is violating a condition of a license or registration issued by the agency, or administered by the agency pursuant to an agreement with the Nuclear Regulatory Commission, or any regulation promulgated pursuant to the Radiation Protection Act, and determines that the violation may present an imminent and substantial endangerment to human health or safety, the Secretary may bring suit to immediately restrain the person from the violation or take such other action as may be necessary or both. The bill permits the Secretary to also take other action, including issuing orders as may be necessary to protect human health and safety. The bill also sets criminal penalties. The bill was vetoed by Governor Richardson on 2 April 2003.

STATE OF NEW MEXICO DEAD LEGISLATION

(UPDATE) **HB 371 – Air Quality.** The current version of this bill directs the Environmental Improvement Board and the Local Board to adopt regulations to prescribe ambient air quality standards for air contaminants. The bill states that if a NAAQS has been adopted for an air contaminant pursuant to Section 109 of the federal CAA, that standard shall be deemed sufficient to protect the public health, unless either Board determines, after public hearing, that the standard is not sufficient. The bill died upon adjournment 22 March 2003.

(UPDATE) **HB 372 – Air Quality.** This bill amends the Air Quality Control Act to provide for state operating permit conditions that are consistent with and no more stringent than federal regulations. The bill died upon adjournment 22 March 2003.

(UPDATE) **HB 587 – Alternative Fuels.** The current version of this bill defines alternative fuels as a fuel mixture containing not less than 70 percent ethanol or methanol or a fuel mixture containing not less than 20 percent diesel or vegetable oil. The bill died upon adjournment 22 March 2003.

(UPDATE) **HB 600 – Water.** This bill permits a municipality to change the place or purpose of use or point of diversion of an existing water right. The bill died upon adjournment 22 March 2003.

(UPDATE) **HB 655 – Air Quality.** The current version of this bill provides an opportunity for a public hearing on the application or draft permit under the Air Quality Control Act. The bill sets requirements for public hearings and actions by the Environmental Improvement Board. The bill permits a person who is or may be adversely affected by a regulation adopted by the Environmental Improvement Board or the local board may appeal the regulation by filing a notice of appeal with the court of appeals within thirty days. The bill died upon adjournment 22 March 2003.

(UPDATE) **HB 782 – Air Quality.** This bill amends the Air Quality Control Act by deleting the requirement that state regulations be no more stringent than federal requirements. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 102 – Water.** This bill requires that a person holding a permit for a well meter the amount of water produced by the well and report quarterly to the state engineer the amount of water produced by the permitted well. The bill directs the state engineer to adopt rules for determining the amount of water that may be produced by a well in accordance with the well's permit and for verification of water use. The bill imposes a fine of up to \$.03 per gallon for the amount of overuse. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 113 – Stormwater, Water Conservation.** The current version of this bill defines "gray water" as untreated household wastewater that has not come in contact with toilet waste and includes wastewater from bathtubs, showers, washbasins, clothes washing machines and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers or laundry water from the washing of material soiled with human excreta, such as diapers. This bill establishes requirements for permits and limits on uses. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 124 – Water.** This bill permits an acequia or community ditch to establish a water bank for the purpose of temporarily reallocating water without change of purpose of use or point of diversion to augment the water supplies available for the places of use served by the acequia or community ditch. The acequia or community ditch water bank may make temporary transfers of place of use without formal proceedings before the state engineer, and water rights placed in the acequia or community ditch water bank shall not be subject to loss for non-use during the period the rights are placed in the water bank. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 193 – Alternative Fuels.** The current version of this bill exempts vehicles that operate exclusively on alternative fuel and gas-electric hybrid vehicles from annual motor vehicle registration fees, and exempts the purchase of those vehicles from the Motor Vehicle Excise Tax. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 348 – Renewable Fuels/Power.** This bill determines that a taxpayer who is a resident of New Mexico, files an individual New Mexico income tax return and is not a dependent of another individual may claim a credit, not to exceed \$3,000, in an amount equal to 15 percent of the installed costs of a solar or wind energy system purchased by the taxpayer and installed in the taxpayer's primary residence in New Mexico between 1 July 2003 and 30 June 2013. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 515 – Air Quality.** This bill amends the Air Quality Control Act to provide for rules at least as stringent as corresponding federal regulations. The bill died upon adjournment 22 March 2003.

(UPDATE) **SB 592 – Air, Emissions.** This bill allows the Public Utilities Commission to approve a cost recovery rate rider, outside of a general rate case for a term that allows for full and timely recovery costs of a public utility's voluntary installation of an air emissions reduction project at a generating plant. The bill died upon adjournment 22 March 2003.

STATE OF NEW MEXICO PROPOSED RULES

(UPDATE) **Amendment of the Requirements for Obtaining an Air Quality Operating Permit (20 NMAC 2.70.300).** NMED is proposing amendments that will affect requirements for obtaining an air quality operating permit. Air quality operating permits are required for major sources of air pollution; that is, those sources that emit 100 tons per year or more of an air pollutant, or 10 tons per year of any one hazardous air pollutant, or 25 tons per year of any combination of hazardous air pollutants. The amendments relate to the following issues: (1) whether and how New Mexico Ambient Air Quality Standards and the NAAQS would continue to be included in operating permits as applicable requirements; (2) to what extent would modeling be required for new permit applications and renewals, and; (3) in cases where modeling shows that emissions from a major source will result in ambient impacts in excess of New Mexico Ambient Air Quality Standards, what would be required in a compliance plan. The proposal has now been postponed indefinitely due to pending legislation. *For further information, please contact Rita Trujillo, NMED, at (505) 955-8024.*

(UPDATE) **Amendments to the Regulations Governing Petroleum Storage Tanks (20 NMAC 5).** NMED has proposed amendments to the regulations governing petroleum storage tanks. The amendments are a follow-up to the recently passed regulations requiring the registration of aboveground storage tanks. The proposed regulations primarily outline installation, testing and operating requirements for aboveground storage tanks. The reasons for the proposed amendments are to make parts 1, and 4-8 of 20.5 NMAC consistent with legislative amendments to the Hazardous Waste Act, and to make Part 1 and Parts 9-16 of 20.5 NMAC consistent with legislative amendments to the Hazardous Waste Act, and the Ground Water Protection Act. Hearings are scheduled for 8-9 May 2003. *For further information, please contact Anna Richards, NMED, at (505) 984-1925.*

(UPDATE) **Adoption of Federal Ammonia Standards (20 NMAC 6.1).** NMED has withdrawn a proposal to increase the acute and chronic numeric ammonia standards for the Santa Fe River, Segment 2-110. The Department was requested to make this change by the City of Santa Fe. The ammonia standards are now being addressed in conjunction with the triennial review of the water quality standards. *For further information, please contact John Montgomery, NMED, at (505) 476-3671.*

(UPDATE) **Triennial Review of Water Quality Standards (20 NMAC 6.4).** NMED is proposing amending water quality standards to protect designated uses of irrigation, livestock watering and wildlife habitat as required by the Clean Water Act. The standards for sulfate and chloride, among others, are now part of the Triennial Review. A draft of the review may be found online at http://www.nmenv.state.nm.us/NMED_regs/swqb/DRAFT/20_6_4_NMAC-Draft_02-21-2003.pdf. The comment period closes 7 May 2003. *For further information, please contact John Montgomery, NMED, at (505) 476-3671.*

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OKLAHOMA

Legislative/Regulatory Activity

STATE OF OKLAHOMA PROPOSED LEGISLATION

(UPDATE) **HB 1475 – Solid Waste.** The current version of this bill requires certain landfills to submit a plan to address litter and dust control measures to ODEQ.

STATE OF OKLAHOMA PROPOSED RULES

(UPDATE) **Commercial Pesticide Applicators Requirements (OAC 25:30-17).** ODEQ has approved a proposal to require commercial applicators applying pesticides with special permits to use satellite tracking and provide these records to the Department within 14 days of application. The Department is also seeking to preclude the issuance of special permits to applicators who have "reoccurring violations." Staff report that the Department is awaiting approval from the Governor and Legislature. *For further information, please contact Bill Taylor, ODEQ, at (405) 522-6347.*

(UPDATE) **Revision of the Water Quality Standards (OAC 252, Chapters 45, 46).** The Board has adopted revisions to the state water quality standards. The revisions include (1) implementation of scenic river

nutrient criteria; (2) groundwater standard revisions; (3) biological thresholds for additional ecoregions; and (4) several minor corrections and reorganization of Chapters 45 and 46. The Board is also discussing site-specific criteria for the Poteau river and potential wetlands beneficial use language. Staff report that the Board is currently awaiting legislative and executive review and that the expected effective date is 1 July 2003. *For further information, please contact Derek Smithee, ODEQ, at (405) 530-8800.*

(UPDATE) Replacement of Permit by Rule Provisions with "Permit Exempt Facilities" (OAC

252:100-7). ODEQ has proposed to replace the provisions for "permit by rule" with a new class to be called "permit exempt facility." This proposal is replacing a previous proposal to create a permit by rule for natural gas compression facilities. The "permit exempt facility" would apply to facilities with emissions of less than 40 tons per year and would require facilities to submit an emissions inventory and institute other possible controls (i.e., fugitive dust controls). The regulation was repropose on 17 March 2003. The comment period is closed. The Department plans to hold another hearing on 16 July 2003 before it is sent for final approval. The proposal cannot be finally approved under any circumstances until 8 July 2003. *For further information, please contact Joyce Sheedy, ODEQ, at (405) 702-4100.*

(UPDATE) Revisions to the Hazardous Waste Regulations Through the Adoption of Federal Amendments (OAC 252:205-3-1, 205-3-2, 205-3-3).

ODEQ is proposing the adoption of recent amendments to the federal hazardous waste regulations. The proposed amendment would incorporate by reference (1) 66 FR 58258-58300, published 20 November 2001, regarding three newly listed hazardous wastes generated from inorganic chemical manufacturing processes; (2) 67 FR 2962-3029, published 22 January 2002, regarding amendments to the Corrective Action Management Unit Rule; (3) 67 FR 11251-11254, published 13 March 2002, regarding the classification of mineral processing characteristic sludges and by-products being reclaimed as solid wastes under RCRA's hazardous waste management regulations; and the decision that the Toxicity Characteristic Leaching Procedure may not be used for determining whether manufactured gas plant waste is hazardous under RCRA; and (4) 67 FR 17119-17120, published 9 April 2002, regarding corrections to 66 FR 58258-58300, published 20 November 2001. The regulation was submitted to the Legislature and Governor on 6 March 2003 and is now pending legislative and executive review. *For further information, please contact Catherine Sharp, ODEQ, at (405) 702-5100.*

OTHER REGULATORY ACTIVITY

(UPDATE) Early Action Compacts for Tulsa and Oklahoma City. ODEQ has developed early action compacts for Tulsa and Oklahoma City. The compacts address ozone levels in the areas and would result in early submission of SIPs. The Department developed compacts to avoid ozone non-attainment designations for the areas. The compacts may result in lower allowable emissions for ozone precursors. The compacts were signed on 31 December 2002. *For further information, please contact Scott Thomas, ODEQ, at (405) 702-4100.*

(UPDATE) Attainment of the 8-Hour Ozone Standard in Oklahoma. ODEQ is discussing the development of a modeling protocol and subsequent early SIP submittal to address attainment of the 8-hour ozone standard in Oklahoma. The early SIP submittal would be the result of a local Early Action Compact. The Early Action Compact concept allows an area to defer on official designation of non-attainment for ozone if an early approvable SIP is submitted. The Clean Air Action Program is scheduled to be adopted and incorporated into the SIP by 31 December 2004. Using the Early Action Compact Protocol, the region would implement emission reduction measures by 2005 that are directed at attaining the 8-hour standard by 2007. Stakeholder meetings on Modeling Protocol, Grid Boundaries, Episode Selection, Meteorological Model, Technical Committee Meeting Activities, and Emissions Inventory Improvements were held on 7 January 2003 and 13 March 2003. A Technical Advisory Committee meeting was held on 5 March 2003. The next public meeting will be held May 2003. *For further information, please contact Leon Ashford, ODEQ, at (405) 702-4173.*

NOTE: Please see the following EPA action related to Oklahoma under **EPA FINAL RULES:** Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions.

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STATE OF TEXAS PROPOSED LEGISLATION

(NEW) **HB 1960 – Emissions.** This bill relates to authorizing TCEQ to enter into voluntary emissions reduction agreements with owners of stationary sources or groups of stationary sources.

(NEW) **HB 2540 – Eminent Domain.** The current version of this bill authorizes a defense base development authority to exercise the power of eminent domain to acquire property in or adjacent to the base property.

(NEW) **HB 2568 – Hazardous Waste.** This bill relates to the disposal or assured isolation of low-level radioactive waste.

(NEW) **HB 2589 – Hazardous Waste.** This bill relates to the assured isolation of low-level radioactive waste.

(NEW) **HB 2661 – Water.** This bill changes the spelling of graywater. The bill determines that a permit would not be required for the domestic use of less than 400 gallons of graywater each day under certain circumstances.

(NEW) **HB 3157 – Solid Waste.** This bill regulates the disposal of solid waste.

(NEW) **HB 3164 – Environmental Crimes/Fines.** This bill initiates the prosecution of environmental crimes. This bill is the same as SB 1265.

(NEW) **SB 1265 – Environmental Crimes/Fines.** This bill re-establishes a requirement that TCEQ and the Office of Attorney General confer and recommend criminal prosecution of Texas environmental laws and regulations before the initiation of prosecution. The bill applies only to cases in which the potential defendant holds a permit by TCEQ or employed by a person holding such a permit. This bill is the same as HB 3164.

(NEW) **SB 1878 – Environmental Crimes/Fines.** This bill relates to the relationship between the amount of an administrative penalty imposed by TCEQ and the economic benefit of the violation to the alleged violator.

(UPDATE) **SB 496 – Asbestos.** The current version of this bill establishes an inactive docket for unimpaired asbestos claims. The bill establishes objective medical criteria for determining actual impairment, and gives trial preference to asbestos claims involving malignant conditions caused by asbestos exposure.

STATE OF TEXAS FINAL RULES

(UPDATE) **Labeling and Identification (16 TAC 4.605).** TCEQ has adopted revisions to regulations concerning the labeling and identification of Naturally Occurring Radioactive Materials contaminated equipment. The effective date of this rule was 3 March 2003. *For further information, please contact Steve Seni, TCEQ, at (512) 239-3296.*

(UPDATE) **Revision to the Permitting Procedure for UIC (30 TAC 39.403).** TCEQ has adopted revisions to the permitting requirements for UIC. The practice of permitting pre-injection units and other surface units as part of nonhazardous UIC permits has varied, due to the different scope of applications submitted by applicants, and due to different interpretations of statutes and the regulations. This rulemaking is intended to provide the option of including pre-injection units in a registration under the authority of Texas Water Code, Chapter 27, and to provide a consistent set of standards and guidance to permit applicants, commission staff, and the general public on application requirements for pre-injection units, whether they are to be authorized by permit or registration. The conforming amendments change the terms "Pre-injection facilities" and "Surface facilities," which are considered to be terms of art, to "Pre-injection units." The effective date of this rule was 8 January 2003. *For further information, please contact Kathy Vail, TCEQ, at (512) 239-6637.*

(UPDATE) **Revision to the UIC Regulations (30 TAC 39, 331).** TCEQ has adopted revisions to UIC regulations. The revisions provide UIC standards and requirements for permitted and registered pre-injection units associated with Class 1 nonhazardous, noncommercial injection wells. The revisions include a new registration

process and application, processing, notice, comment, and other procedural requirements. The effective date of this rule was 9 January 2003. *For further information, please contact Ray Austin, TCEQ, at (512) 239-6814.*

(UPDATE) **Revisions to the Title V Operating Permit Requirements (30 TAC 106, 116, 122).** TCEQ has adopted revisions to the Title V operating permit requirements. The rulemaking revises existing Chapter 106 permit regulations to address issues raised by the EPA in a 7 January 2002 Notice of Deficiency. The rule applies to owners and operators that have established certified registrations of potential to emit limitations to demonstrate that the Title V program does not apply to their sources. Formerly, permit by rule sites, with a PTE equivalent to a major source, were required to maintain certified registrations of emissions on-site that demonstrate the site's emissions are below the major source thresholds. The amendment requires owners and operators of an affected site to mail a copy of the certified registration of emissions to the Commission, the appropriate regional office, and to any air pollution control agency that has jurisdiction over the affected site. The effective date of this rule was 11 December 2002. *For further information, please contact Alan Henderson, TCEQ, at (512) 239-1510.*

(UPDATE) **Preliminary Assessment of Whether the Reasons for the Hazardous Air Pollutant and Federal Stationary Source Performance Standards Continue to Exist (30 TAC 113).** TCEQ conducted a preliminary review of the hazardous air pollutant and federal stationary source performance standards and determined that the reasons for the rules in Chapter 113 continue to exist. The rules are needed to control air pollution from designated pollutants and facilities, as well as toxic materials throughout the State of Texas, by providing a format for the Commission to adopt the federal stationary source performance standards and hazardous air pollutant standards as they are promulgated by the EPA in 40 CFR Parts 60, 61, 63 and 65. The Commission adopted the rules review and readopted the Chapter on 11 February 2003. The adopted rule review was published 21 February 2003. *For further information, please contact Auburn Mitchell, TCEQ, at (512) 239-1873.*

(UPDATE) **Revisions to the Regulations Governing the Use of Reclaimed Industrial Water (30 TAC 210.51-210.60).** TCEQ has adopted revisions to the regulations governing the use of reclaimed industrial water. The changes clarify and establish the following requirements for industrial reclaimed water: (1) general requirements applicable to producers, providers, and users; (2) requirements and specifications for transfer, storage, irrigation, and other end uses; (3) requirements and specifications necessary to minimize the impact of discharge of waste into or adjacent to waters in the state; (4) specific uses of industrial reclaimed water; standards for the quality of industrial reclaimed water; (5) standards for monitoring and recordkeeping; and (6) criteria for denying or suspending an authorization. The effective date of this rule was 11 December 2002. *For further information, please contact Kathy Ramirez, TCEQ, at (512) 239-6757.*

(UPDATE) **UIC Restriction for Edwards Aquifer (30 TAC 213, 331).** TCEQ has adopted amendments restricting UIC for Edwards Aquifer. The revisions to Chapters 213 and 331 implement SB 2, §11.03, 77th Legislature, 2001, by prohibiting the authorization by the Commission of any injection well that transects or terminates in the Edwards Aquifer, except for injection of groundwater withdrawn from the Edwards Aquifer or injection of storm water, groundwater, or flood water through improved sinkholes or caves located in karst topographic formations. The effective date of this rule was 3 November 2002. *For further information, please contact Joe Thomas, TCEQ, at (512) 239-4580.*

(UPDATE) **Quadrennial Review of the Regulations for the Regional Assessments of Water Quality and Amendments to Water Quality Related Fees (30 TAC 220).** TCEQ has readopted regulations for regional assessments of water quality. This proposal was a quadrennial review, and proposed readoption of the regulations without change. The Commission will now begin preparing to propose amendments to incorporate changes mandated by HB 2912. HB 2912 requires the consolidation of certain water quality related fees. The final regulations were readopted without change and became effective 6 October 2002. *For further information, please contact Debi Dyer, TCEQ, at (512) 239-3972.*

(UPDATE) **Clarifications to Minimum Production, Pressurization, and Storage Capacity Requirements for Public Drinking Water Systems (30 TAC 290.45).** TCEQ has adopted amendments to minimum production, pressurization, and storage capacity requirements for public drinking water systems. The rule (1) more explicitly states the conditions under which the executive director can establish capacity operating levels higher than the minimum requirements expressed in the rule; clarifies minimum water system capacity requirements for wholesale water suppliers who also supply retail connections; and clarifies public water system and wholesaler responsibilities for meeting production requirements; (2) specifies the process for a public water system to request an alternative capacity requirement; (3) specifies exactly how an alternative capacity requirement is to be determined; and (4) specifies the process for review and revocation or revision of an alternative capacity requirement by the

executive director. The effective date of this rule was 30 January 2003. *For further information, please contact Kathy Ramirez, TCEQ, at (512) 239-6757.*

(UPDATE) Establishment of a Preenforcement Threshold of Noncompliance Requiring Notification of the Texas Water Development Board that an Operating Entity Needs Training (30 TAC 291).

TCEQ has adopted a preenforcement threshold noncompliance at which the Commission may notify the Texas Water Development Board that an operating entity needs training. The new section implements provisions of Senate Bill 649 (an Act relating to training requirements for applicants for, and recipients of, financial assistance for water and sewer services under the economically distressed areas program), 77th Legislature, 2001, which requires the Commission to establish, by rule, criteria to be used to determine if an operating entity needs training. The new section was adopted with an effective date of 31 July 2002. *For further information, please contact Debi Dyer, TCEQ, at (512) 239-3972.*

(UPDATE) Revisions to the Oil Spill Prevention and Response Program (31 TAC 19.2, 19.4). The Texas General Land Office has adopted revisions to the Oil Spill Prevention and Response Program definitions. The revisions amend the definition of the term "facility" to be the same as the definition of the terms "facility" or "terminal facility" in the Texas Oil Spill Prevention and Response Act of 1991. That act defines the terms "facility" and "terminal facility" as synonyms. The Office has adopted new definitions for the terms "offshore" and "waterfront." The new definitions for the terms "offshore" and "waterfront" and the new facility certification requirements provide clearer standards for facility operators to determine independently whether they need to obtain a certificate. The effective date of this rule was 30 October 2002. *For further information, please contact Robert Siddall at (512) 475-1575.*

(UPDATE) Revision to the Regulations Governing Threatened and Endangered Nongame Species (31 TAC 65.173). The Texas Parks and Wildlife Department has adopted revisions to the regulations governing threatened and endangered nongame species. The revisions allow the Department to issue a letter of authorization under specific circumstances, to named individuals, which will authorize the temporary possession of threatened and endangered species for relocation purposes. The Department determined the amendment to be necessary because in the course of certain activities, such as power line maintenance and roadway construction, work crews occasionally encounter threatened and endangered animals that must be relocated. The effective date of this regulation was 28 October 2002. *For further information, please contact Paul Robertson at (512) 912-7044.*

STATE OF TEXAS PROPOSED RULES

(NEW) Incorporation of New/Amended MACT Standards (30 TAC 113.110, 113.120-1070, 113.1260).

TCEQ has proposed amendments to Chapter 113 to incorporate amendments to NESHAPs for Source Categories that the EPA has made to 40 CFR 63. These are technology-based standards commonly referred to as MACT standards. In addition, the proposed new sections will incorporate by reference 18 MACT standards which have not been previously incorporated into Chapter 113 as well as the 34 MACT standards revised by the EPA since the Commission adopted new and revised standards on 14 June 2000. The EPA is developing these national standards to regulate emissions of hazardous air pollutants under the Federal CAA. A hearing has been held; comments are due by 5 May 2003. *For further information, please contact Alan Henderson, TCEQ, at (512) 239-1510.*

(NEW) Offset Certifications, New Source Review Permit Processes, and Extensions for

Construction (30 TAC 116). TCEQ is proposing rule amendments to ensure the timely submission of updated and additional information used to process NSR applications. The Commission is proposing that applicants that do not supply requested and necessary information for the processing of a permit application will have their application voided. The amendments would (1) require that an emission offset would have to be certified under the current rules for emission credits in order to qualify as a reduction to emissions external to a facility; (2) require the voiding of an application for a permit or permit amendment in the event of deficient information supplied with the application; (3) allow for an additional 18-month extension to begin construction of a project in the case of delays caused by litigation or for other unspecified reasons if the permit holder has spent 15 percent of the cost of the project toward construction; (4) require a permit application fee before an application will be processed or begin any time constraints required of the Commission; and (5) require an application for permit renewal to be submitted at least six months but no earlier than 18 months prior to the permit expiration date. A hearing has been held; comments are due by 5 May 2003. *For further information, please contact Clifton Wise, TCEQ, at (512) 239-2263.*

OTHER REGULATORY ACTIVITY

(UPDATE) **January 2003 Update of the Water Quality Management Plan.** TCEQ has adopted the January 2003 update of the WQMP. The WQMP is developed and promulgated in accordance with the requirements of the Federal Clean Water Act, Chapter 208. The update includes (1) projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions; (2) service area populations for listed wastewater treatment facilities; and (3) designated management agency information. The update was adopted 1 March 2003 and is pending EPA approval. *For further information, please contact Nancy Vignali, TCEQ, at (512) 239-1303.*

(UPDATE) **Standard Permit for Larger Rock Crushers (30 TAC 106).** TCEQ has drafted a standard permit for larger rock crushers that process nonmetallic minerals. The standard permit for larger rock crushers would be applicable to facilities and associated equipment for which throughput between 250 and 350 tons per hour. General requirements concerning distance limits, emission limits, control requirements, notification and registration requirements, and record keeping would be contained in the standard permit. Staff report that the Commission has put this rulemaking on hold for the standard permit until after the current legislative session because the Commission expects that legislation dealing with larger rock crushers will be passed. *For further information, please contact Blake Stewart, TCEQ, at (512) 239-6931.*

(UPDATE) **TMDL Development for Patrick Bayou.** TCEQ is discussing the development of TMDLs for Patrick Bayou. The Commission is focusing on copper, toxicity and temperature TMDLs. The Commission has determined that no TMDLs are needed for water toxicity or copper. Staff report that the Commission is continuing to work toward TMDLs for sediment toxicity and temperature, but that no timeline is available for development. *For further information, please contact Larry Koenig, TCEQ, at (512) 239-4533.*

(UPDATE) **Amendments to Rules Governing Petroleum Storage Tanks (30 TAC 334).** TCEQ is discussing amendments to the Petroleum Storage Tank rules. The amendments will concern (1) definitional changes, (2) registration for USTs and UST Systems, (3) certification for USTs and UST Systems, (4) reporting and recordkeeping, (5) corrosion protection, (6) permanent removal from service, (7) general conditions and limitations regarding reimbursements, (8) application requirements, (9) technical information, (10) costs, (11) eligibility requirements, (12) fund payment reports, (13) audits, and (14) notices of overpayment. Staff report that the rulemaking is currently on hold and that the Commission may resume the rulemaking process in June or July 2003 at the earliest. *For further information, please contact Michael Bame, TCEQ, at (512) 239-5658.*

(UPDATE) **TMDL Development for Armand Bayou.** TCEQ is discussing a TMDL for Armand Bayou as water quality testing found that (1) bacteria levels are occasionally elevated, indicating a potential health risk to people who swim or wade in the bayou; and (2) low dissolved oxygen levels in the water may occasionally stress the fish community and other aquatic life. The TMDL project has been initiated to determine the extent and severity of the low dissolved oxygen levels and the appropriateness of the water quality standard. Staff report that the data collected for dissolved oxygen Armand Bayou do not indicate an impairment and no TMDL is required at this time. Staff report that the study of low dissolved oxygen levels will continue as part of a statewide project to study this issue. Staff report that there is an independent citizens watershed group that is attempting to create an action plan for protection of the watershed. Staff report that the Commission is continuing to work toward a bacteria TMDL. No timeline is available for the release of a draft TMDL. *For further information, please contact Larry Koenig, TCEQ, at (512) 239-4533.*

NOTE: Please see the following EPA action related to Texas under **EPA FINAL RULES:** Texas: Final Authorization of State Hazardous Waste Management Program Revisions; and the USFWS action related to Texas under **USFWS REGULATORY ACTIVITY:** Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Seven Bexar County, Texas, Invertebrate Species

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REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Iowa Department of Natural Resources (IDNR)	http://www.state.ia.us/dnr/
Iowa General Assembly	http://www.legis.state.ia.us/
Kansas Department of Health and Environment (KDHE)	http://www.kdhe.state.ks.us
Kansas Legislature	http://www.kslegislature.org/cgi-bin/index.cgi
Missouri Department of Natural Resources (MDNR)	http://www.dnr.state.mo.us/homednr.htm
Missouri General Assembly	http://www.moga.state.mo.us/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://www.unicam.state.ne.us/

IOWA

Legislative/Regulatory Activity

STATE OF IOWA PROPOSED LEGISLATION

(UPDATE) **SF 344 – Indoor Air Quality, Endangered Species, Environmental Administrative Procedures.** The current version of this bill eliminates any authority of IDNR to monitor indoor air quality. The bill requires the Iowa Endangered Species list to conform with the Federal Endangered Species list that eliminates species that are rare in Iowa but not endangered in the United States. The bill enacts several other provisions relating to worker compensation and liability limits. The bill also establishes a definition of rented vehicle.

STATE OF IOWA DEAD LEGISLATION

(NEW) **HF 618 – Exotic Nuisance Species.** This bill requires prevention and control of certain invasive plant and animal species in this state. The bill defines "invasive species" as species that are not native to an ecosystem and whose introduction causes or is likely to cause economic or environmental harm or harm to human health including but not limited to habitat alteration and degradation and loss of biodiversity. This bill failed to meet the second Funnel deadline 11 April 2003.

(NEW) **HF 630 – Lead Abatement, Environmental Administrative Procedures.** This bill requires that all lead abatement and lead inspections be performed and conducted in accordance with work practice standards established by the Department of Public Health. This bill failed to meet the second Funnel deadline 11 April 2003.

(UPDATE) **SF 415 – Lead Abatement.** This bill requires all lead inspection and abatement programs to meet the requirements of the Department of Public Health. This bill failed to meet the second Funnel deadline 11 April 2003.

STATE OF IOWA FINAL RULE

(UPDATE) **Beneficial Use Determinations: Solid By-Products as Resources and Alternative Cover Material (567 IAC Chapter 108).** IDNR rescinded the existing Chapter 108, Reuse of Solid Waste, and adopted a new Chapter 108, Beneficial Use Determinations: Solid byproducts as Resources and Alternative Cover Material. This rulemaking updated and expanded the rules pertaining to the beneficial reuse to incorporate new beneficial uses for solid byproducts and the Department's permitting experiences. Numerous universally approved beneficial uses are authorized in the chapter, and an application process for new beneficial use determinations has been created. The regulation was published 19 March 2003 and became effective 23 April 2003. *For further information, please contact Jeff Myrom, IDNR, at (515) 281-3302.*

STATE OF IOWA PROPOSED RULES

(UPDATE) **Title V Fee Cap (567 IAC Chapter 22).** IDNR has issued an emergency regulation and is proposing a permanent regulation to increase the maximum dollar per ton fee (a.k.a. "fee cap"). The Environmental Protection Commission is charged with setting the annual fee for Title V permits. The maximum fee that the Commission is currently allowed (by rule) to charge annually on the first 4,000 tons of actual emissions of each pollutant, from sources subject to Title V permitting, is \$29 per ton. Budget projections and estimates of actual emissions indicate that this annual fee will have to be increased to maintain the current level of service with increases in staff salaries due to negotiated contract increases. The current annual fee is \$29 per ton, which is at the maximum cap level. Therefore, the Commission will be asked to raise the fee cap to allow for increases in annual fee levels. The Department is proposing to increase the fee level cap to \$39 per ton on the first 4,000 tons of actual emissions. Because the Environmental Protection Commission must set the annual fee for the coming fiscal year no later than the May Commission meeting, the Department published a Notice of Intended Action and an Adopted and Filed without Notice emergency rulemaking 19 March 2003. A hearing has been held and the comment period is closed. The emergency regulation became effective 23 March 2003. *For further information, please contact Wayne Gieselman, IDNR, at (512) 281-8916.*

(UPDATE) **Enforcement Actions and Penalties for Waste Tire Management (567 IAC Chapter 117).** IDNR is proposing to amend its waste tire management rules that would include the appropriate references to enforcement authority and penalties for non-compliance with provisions of the rules. A hearing is scheduled for 6 May 2003; comments will be accepted until that date. *For further information, please contact Mel Pins, IDNR, at (512) 281-8489.*

OTHER REGULATORY ACTIVITY

(UPDATE) **Wastewater Discharges from Private, Onsite Wastewater Treatment Systems (567 IAC Chapters 64, 69, General Permit 4).** IDNR is preparing amendments that would renew the general permit that authorizes wastewater discharges from private, onsite wastewater treatment systems; make some changes to the permit conditions (e.g., require effluent sampling for *E. coli* versus fecal coliform bacteria); and add some definitions to Chapter 69. Under Iowa statute, the construction permitting for private, onsite wastewater treatment systems is handled by counties, although the Department establishes the construction standards by rule (Chapter 69, Onsite Wastewater Treatment Disposal Systems). However, any discharge to surface waters from private onsite systems such as sand filters and "package" mechanical plants must be authorized by a Department-issued discharge permit that is compliant with NPDES requirements. Chapter 64, Wastewater Construction and Operation Permits, contains general permit provisions and onsite discharges are covered under General Permit #4. The Environmental Protection Commission discussed the draft amendments at its 17 March 2003 meeting.

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KANSAS

Legislative/Regulatory Activity

The Kansas Legislature adjourned 3 April 2003.

STATE OF KANSAS SIGNED LEGISLATION

(UPDATE) **HB 2003 – Water, Municipal Authorities.** The current version of this bill permits procedures for acquisitions of rural water district water supply and distribution systems, including (1) the transfer to the municipality of control and ownership of the district's water supply and distribution system, including all property, equipment, records, reports and funds; (2) continued service, at an agreed upon rate, by the municipality to customers served by such system; (3) assumption of all or part of the revenue bond liability or other outstanding obligations of the district; and (4) establishment of a policy for connecting new customers to the water supply and distribution system. This bill was signed by Governor Kathleen Sebelius on 16 April 2003.

(UPDATE) **HB 2196 – Underground Storage Tanks.** This bill amends the Kansas Storage Tank Act to make it unlawful for any person to deposit, store, or dispense any regulated substance into any storage tank that does not comply with the Act or the rules and regulations promulgated under the Act. The bill makes it unlawful for any owner

or operator of a storage tank to deposit, store, or dispense any regulated substance into storage tank. This bill was signed by Governor Kathleen Sebelius on 24 March 2003.

(UPDATE) **HB 2247 – Land Use.** The current version of this bill establishes a voluntary mechanism to assist existing state programs to address environmental contamination in a cost effective manner that is protective of human health and the environment. The bill establishes a process where owners of environmentally contaminated property could apply to KDHE for approval of an environmental use control to prohibit or restrict use of properties that are contaminated or that have been or currently are subject to environmental remediation activities. This bill was signed by Governor Sebelius on 21 April 2003.

STATE OF KANSAS DEAD LEGISLATION

(UPDATE) **HB 2246 – Waste.** This bill requires that, upon application for a solid waste processing facility or solid waste disposal area permit, a hydrological evaluation of the proposed solid waste processing facility or solid waste disposal area must be performed by an independent professional geologist licensed to practice in Kansas. The bill prohibits the issuance of a permit to construct or operate a solid waste disposal area if such area is located within 10 miles of a navigable stream used for interstate commerce, lake, river, reservoir or other water body that is a public or private water supply source or within 10 miles of an intake point for any public surface water supply system. This bill died upon adjournment 4 April 2003.

(UPDATE) **HB 2251 – Solid Waste, Taxation.** This bill increases the tonnage fee for disposal or transfer of solid waste from \$1.00 to \$1.50. This bill died upon adjournment 4 April 2003.

(UPDATE) **SB 25 – Noise Pollution.** This bill permits the governing body of any local unit of government to enact and enforce an ordinance or resolution that provides for the gradual elimination of sport shooting ranges which constitutes nonconforming uses. The bill requires that the owner of such range shall be paid compensation for the value of the real estate on which the range is located, any improvements, and any economic loss resulting from the closing or elimination thereof. This bill died upon adjournment 4 April 2003.

(UPDATE) **SB 124 – Environmental Administrative Procedures, Agriculture.** This bill renames the Department of Agriculture. The bill transfers powers and duties of the Secretary of KDHE to the Secretary of Agriculture. This bill died upon adjournment 4 April 2003.

(UPDATE) **SB 155 – Scrap Tires.** This bill makes several modifications to the group of statutes dealing with waste and used tires. The bill modifies the definition of "beneficial use" to include those uses which cause no adverse impact to human health or the environment and comply with all applicable zoning requirements. The bill creates a new definition for the term "illegal waste tire accumulation" and defines that term to mean any waste tire pile containing more than 50 waste tires except for accumulations on solid waste disposal facilities when managed in accordance with the conditions of the permit and waste tire accumulations which are exempt from the waste tire collection center permit. The bill updates the statutes to clarify that it is unlawful to have an "illegal waste tire accumulation" or to transfer ownership of waste tires to any person unless the recipient has been issued a permit under solid waste law or under the waste tire statutes, intends to use the waste tires for a beneficial use, or is a tire retailer who collects waste tires from the public or other tire retailers in the ordinary course of business. This bill failed on the House floor 27 March 2003.

STATE OF KANSAS PROPOSED RULE

(NEW) **Municipal, Commercial, and Industrial Wastewater Lagoon Liner Requirements.** KDHE is proposing to develop and adopt regulations addressing municipal, commercial, and industrial wastewater lagoon liner requirements. The Department's goal is to develop and promulgate groundwater protection practices for sensitive groundwater areas in the state and specifically to address the Equus Beds Aquifer. These regulations will address (1) the design, construction, and operation of wastewater lagoons that serve municipal, commercial, and industrial facilities; (2) convert current policies regarding industrial wastewater pond liners into regulations that will make them an enforceable part of the Minimum Standards of Design for Water Pollution Control Facilities-1978; (3) update provisions to the Minimum Standards of Design for Water Pollution Control Facilities to reflect current technology and recent information regarding the effectiveness of earthen lagoons for the containment and treatment of wastewater; and (4) provide uniformity in regard to the Department's approach to design, construction, and use of wastewater lagoon systems serving municipal, commercial, and industrial facilities. Public meetings have been held, and the

comment period is closed. The purpose of the public meetings is to solicit input, which will assist in generating the framework format for the proposed regulations. *For further information, please contact Ed Dillingham, KDHE, at (785) 296-5513.*

NOTE: Please see the following EPA action related to Kansas under **EPA FINAL RULES:** Approval and Promulgation of Implementation Plans and Approval Under Sections 110 and 112(l); State of Kansas.

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MISSOURI

Legislative/Regulatory Activity

The Missouri General Assembly adjourned on 31 March 2003.

STATE OF MISSOURI PROPOSED LEGISLATION

(UPDATE) **SB 36 – Environmental Administrative Procedures, Water, Land Use.** The current version of this bill requires all regulations promulgated by MDNR, Hazardous Waste Management Commission, State Soil and Water Districts Commission, Petroleum Storage Tank Insurance Fund Board, Land Reclamation Commission, Safe Drinking Water Commission, Air Conservation Commission, and Clean Water Commission to be based on sound science. The bill requires MDNR to prepare a risk assessment and cost-benefit analysis for all rules promulgated by the referenced agencies. The bill specifies what is required in the regulatory impact report.

(UPDATE) **SB 361 – Scrap Tires, Waste, Air Permitting.** The current version of this bill extends the collection of the waste tire fee by five years to 2009. The bill changes the jurisdiction over underground storage tanks from the Clean Water Commission to the Missouri Hazardous Waste Management Commission. The bill allows for the creation of sanitary sewer improvement areas and allows the Board of Trustees to incur indebtedness and issue temporary notes and general or special revenue bonds to pay for such. The bill extends the levy and collection of the hazardous waste management fee to 1 January 2010. The bill permits Johnson County to hold an election to impose a landfill fee for the benefit of the county. The bill establishes a system by which the Clean Water Commission determines a per capita cost average for all safe water remediation projects in the state to encourage the subsequent designer firms or engineers to prepare engineering plans which have an average cost less than the per capita average by offering bonuses for the below cost design. The bill eliminates the necessity of having a Basic Air Operating Permit for an air contaminant Class B source pursuant to Missouri Clean Air Law.

(UPDATE) **SB 546 – Land Use, Environmental Administrative Procedures.** This bill permits Johnson County to hold an election to impose a landfill fee for the benefit of the county. The bill states that the fees, which may not exceed \$1.50 per ton, will be collected by the landfill operation. SB 361 was amended 9 April to include this measure's language. If the landfill fees are imposed, it will likely be from SB 361.

(UPDATE) **SB 630 – Air Permitting, Air Quality.** This bill eliminates the necessity of having a Basic Air Operating Permit for an air contaminant Class B source pursuant to the Missouri Clean Air Law. SB 361 was amended 9 April to include similar language. If the issue were to advance, it would likely be from that bill.

STATE OF MISSOURI FINAL RULES

(UPDATE) **Virginia Sneezeweed (3 CSR 10-4.111).** MDNR adopted a proposal to add Virginia Sneezeweed to the list of endangered plants in Missouri. This rule was effective 30 January 2003. *For further information, please contact John Smith, MDNR, at (573) 751-4115.*

(UPDATE) **Title V Operating Permit Program (10 CSR 10-6.065).** MDNR has adopted amendments to its Title V air operating permit program. The amendments include (1) modifying the acid rain portion of the operating permit to conform with the federal rules; (2) including a certification requirement as part of the application for minor permit modifications; (3) requiring that "off-permit" work be noticed contemporaneously to the Department and the USEPA; and (4) establishing Title V emission or potential-to-emit thresholds for sources in ozone transport areas, areas classified as in "serious" nonattainment for carbon monoxide, and areas classified as in "serious" nonattainment for particulate matter 10 microns. The rule became effective 2 April 2003. *For further information, please contact Wayne Grath, MDNR, at (573) 751-4817.*

OTHER REGULATORY ACTIVITY

(UPDATE) **Sugar Creek pH Standards.** MDNR added the lower 1.5 miles of Sugar Creek to its list of impaired waters because low pH acid problems persist and acid groundwater continues to seep from the reclaimed areas. Also, acid mine drainage from underground workings continues to affect the tributary draining the Huntsville gob pile. Drainage from the gob pile travels approximately one mile down this tributary before entering Sugar Creek. The groundwater recharge of the underground mine voids maintains a steady flow of acid mine drainage largely independent of precipitation. While Sugar Creek dilutes the acid mine drainage for much of the year, dilution is reduced during summer and then water quality in the creek declines. The TMDL was finalized 25 November 2002, and approved by the EPA 19 December 2002. *For further information, please contact Darlene Schaben, MDNR, at (573) 751-7428.*

NOTE: Please see the EPA action related to Missouri under **EPA FINAL RULES:** Approval and Promulgation of Implementation Plans; State of Missouri.

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NEBRASKA

Legislative/Regulatory Activity

STATE OF NEBRASKA SIGNED LEGISLATION

(UPDATE) **LB 30 – Groundwater.** This bill states any person who violates a cease and desist order issued by a Natural Resources District to enforce the Nebraska Ground Water Management and Protection Act will be guilty of a Class IV misdemeanor or subject to a civil penalty of not more than \$5000 for each day an intentional violation occurs. The bill states that any civil penalty assessed and unpaid will constitute a debt to the state which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the district court of the county in which the violator resides or owns property. The bill requires the court, within thirty days after receipt, to remit the civil penalty to the State Treasurer for credit to the permanent school fund. The bill allows the recovery of attorney's fees and costs of enforcement of a cease and desist order if a civil penalty was awarded if the Attorney General's office brings the action. The bill was signed by Governor Johanns on 20 March 2003.

(UPDATE) **LB 31 – Groundwater.** This bill states that beginning 1 January 2005, the State Treasurer will credit fees to the Water Well Standards and Contractors' Licensing Fund. The bill eliminates the sunset provision and increases the water well registration fee for the Water Well Decommissioning Fund by \$10. The bill was signed by Governor Johanns on 20 March 2003.

(UPDATE) **LB 142 – Solid Waste.** This bill states that if it is necessary in the course of an investigation or inspection or during remedial or corrective action and if the owner of the subject property or the owner's agent has specifically denied access to the Natural Resources Department for such purposes, the Director of Natural Resources may order the owner or owner's agent to grant access to such property for the performance of reasonable steps to determine the source and extent of contamination, for remediation, or for other corrective action, including drilling and removal of wastes. The bill states that access will be by the Department or by a person conducting the investigation, inspection, or remedial action at the direction of the Department. The bill states that the property will be restored as nearly as possible to its original condition at the conclusion of the investigation, inspection, or remedial action. The bill was signed by Governor Johanns on 20 March 2003.

(UPDATE) **LB 157 – Pesticides.** This bill rewrites the clarification that outdoor vector control applications made from public property cannot be practically confined to public property. The bill states that it is unlawful for any person to knowingly or intentionally use, cause to be used, handle, store, or dispose of a pesticide on property without the permission of the owner or lawful tenant, except that an employee or other authorized agent of a federal or state agency or political subdivision may apply pesticides for outdoor vector control on property without obtaining permission from the owner or lawful tenant. The bill was signed by Governor Johanns on 20 March 2003.

(UPDATE) **LB 164 – Water Quality, Groundwater.** This bill states that nonpoint source control systems means projects which establish the use of methods, measures, or practices to control the pollution of surface waters and ground water that occurs as pollutants are transported by water from diffuse or scattered sources. The bill states that such projects include, but are not limited to, structural and nonstructural controls and operation and maintenance

procedures applied before, during, and after pollution-producing activities. The bill states that sources of nonpoint source pollution may include, but are not limited to, agricultural, forestry, and urban lands, transportation corridors, stream channels, mining and construction activities, livestock operations, septic tank systems, underground storage tanks, landfills, and atmospheric deposition. The bill removes public power districts and public power and irrigation districts from this measure. The bill was signed by Governor Johanns on 20 March 2003.

STATE OF NEBRASKA PASSED LEGISLATION

(UPDATE) **LB 619 – Groundwater.** The final version of this bill states that the Legislature finds that ownership of water that is groundwater is one of the most valuable natural resources in the state, and that an adequate supply of ground water is essential to the general welfare of the citizens of this state and to the present and future development of agriculture in the state. The bill states that the Legislature also finds that natural resources districts have the legal authority to regulate certain activities and, as local entities, are the preferred regulators of activities that may contribute to ground water depletion in both urban and rural areas. The bill states that the Department shall approve or disapprove the certification and notify the owner or other responsible party within thirty days after the date of such filing, except that if the Department determines that the certification is incomplete it shall so notify the owner or other responsible party and shall approve or disapprove the certification within thirty days after the date the owner or other responsible party files a complete certification. This bill was sent to Governor Johanns on 14 April 2003.

STATE OF NEBRASKA PROPOSED LEGISLATION

(UPDATE) **LB 567 – Growth Management.** This bill states that any county may by ordinance provide for regulation of traffic and public use and conduct of invitees upon specified parking lots, shopping centers, and similar semipublic but privately owned places located within the county limits of such county when the owners or operators of such semipublic places make written request for the same. The bill states that such ordinances may provide for regulation of the flow of traffic, speed limits, offenses against the public morals, unlawful assembly, trespass, and similar offenses to the same effect and with the same authority as can be done in public thoroughfares, public parking lots, and other public places. The bill states that such ordinance will provide penalties within the limits of authority granted to counties for violation of county ordinances. This bill was indefinitely postponed on 20 March 2003.

STATE OF NEBRASKA REGULATORY ACTIVITY

(UPDATE) **Final TMDLs: Zorinsky Lake, Standing Bear Lake and Kirkman's Cove.** The Department developed TMDLs for streams and lakes impaired by fecal coliform. In its 1998 303(d) List, the Department identified Wagon Train Lake and Olive Creek Lake as water bodies for which TMDLs were scheduled for completion by 2002. Sediment and nutrient controls were established at the lakes in order to fix the problems. In the development of these TMDLs, the Department focused on nonpoint sources, with the highest concern assigned to fecal coliform. The Department also developed TMDLs for Zorinsky Lake, Standing Bear Lake and Kirkman's Cove Lake. The Department adopted sediment and phosphorus TMDLs for Zorinsky Lake. Staff report that the Department submitted the TMDLs for Zorinsky Lake and Standing Bear Lake to the EPA for preliminary review. The EPA has completed pre-comment review of Zorinsky Lake. No comments were received regarding the TMDLs for Zorinsky and Kirkman's Cove Lakes and the TMDLs were submitted to the EPA on 16 September 2002. The TMDLs are final and have been approved by the EPA. *For further information, please contact Pat O'Brien, NDEQ, at (402) 471-3382.*

NOTE: Please see the following EPA actions related to Nebraska: (1) under **EPA FINAL RULES:** Nebraska: Final Authorization of State Hazardous Waste Management Program Revision; and (2) under **OTHER EPA REGULATORY ACTIVITY:** Public Water System Supervision Program Revisions for Nebraska

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Acronyms and Abbreviations

ACSIM = Assistant Chief of Staff for Installation Management
ADEQ = Arkansas Department of Environmental Quality
AFCEE = U.S. Air Force Center for Environmental Excellence
AFIT = Air Force Institute of Technology
ANPRM = Advance Notice of Proposed Rulemaking
ANSI = American National Standards Institute
APA = American Planning Association
AQCR = Air Quality Control Region
AST = aboveground storage tank
ATV = all-terrain vehicle
AWMA = Air & Waste Management Association
CAA = Clean Air Act
CADD = computer-aided design and drafting
CAM = compliance assurance monitoring
CAMU = corrective action management unit
CARB = California Air Resources Board
CBT = computer-based training
CCAR = Coordinating Committee for Automotive Repair
C&D = construction and demolition
CECOS = Civil Engineer Corps Officers
CERCLA = Comprehensive Environmental Response, Compensation and Liability Act
CESQG = conditionally exempt small-quantity generator
CFC = chlorofluorocarbon
CFR = Code of Federal Regulations
CHPPM = U.S. Army Center for Health Promotion and Preventative Medicine
CISWI = commercial and industrial solid waste incinerator
CO = carbon monoxide
CREO = Central Regional Environmental Office
CSR = Code of State Regulations
CTT = closing, transferring and transferred ranges
CWA = Clean Water Act
DAC = Defense Ammunition Center
DENIX = Defense Environmental Network & Information eXchange
DERP = Defense Environmental Restoration Program
DFW = Dallas/Fort Worth
DoD = U.S. Department of Defense
DOE = U.S. Department of Energy
DOI = U.S. Department of Interior
DOT = U.S. Department of Transportation
DRMS = Defense Reutilization and Marketing Service
DSMOA = Defense/State Memorandum of Agreement
EA = environmental assessment
ECAS = Environmental Compliance Assessment System
ECHO = Enforcement and Compliance History Online
ECOS = Environmental Council of the States
ECSR = Environmental Compliance Status Report
EIS = environmental impact statement
EMR = environmental management review
EMS = environmental management system
EO = executive order
EPA = U.S. Environmental Protection Agency
EPAS = Environmental Performance Assessment System
EPCRA = Emergency Planning and Community Right-to-Know Act
ER = environmental restoration
ERC = emission reduction credit
ERTP = Environmental Response Training Program
ETMD = Environmental Training and Management Division
EVR = enhanced vapor recovery

FIFRA = Federal Insecticide, Fungicide and Rodenticide Act
 FFEO = Federal Facilities Enforcement Office
 FM = facilities management
 FR = Federal Register
 FS = feasibility study
 FUDS = Formerly Used Defense Sites
 FY = fiscal year
 GAO = General Accounting Office
 GIS = geographic information system
 gpd = gallons per day
 GSA = General Services Administration
 HAP = hazardous air pollutant
 HAZMAT = hazardous materials
 HB = House Bill
 HGA = Houston/Galveston Area
 HJR = House Joint Resolution
 HM = hazardous material
 HMIRS = Hazardous Materials Information Resource System
 HMIWI = hospital/medical/infectious waste incinerator
 HQ = headquarters
 HSB = House Study Bill
 IAC = Iowa Administrative Code
 IDNR = Iowa Department of Natural Resources
 I&M = inspection and maintenance
 IMI = Installation Management Institute
 ISEERB = Interservice Environmental Education Review Board
 ISO = International Organization for Standardization
 ISR = Installation Status Report
 ITAM = Integrated Training Area Management
 ITRC = Interstate Technology Regulatory Council
 KAR = Kansas Administrative Rules
 KCMA = Kansas City Metropolitan Area
 KDA = Kansas Department of Agriculture
 KDHE = Kansas Department of Health and Environment
 kW = kilowatt
 LAC = Louisiana Administrative Code
 LB = legislative bill
 LDEQ = Louisiana Department of Environmental Quality
 LDR = land disposal restriction
 LPDES = Louisiana Pollutant Discharge Elimination System
 LPST = leaking petroleum storage tank
 LQG = large quantity generator
 LT1 = Long Term 1
 LUC = land use control
 LUST = leaking underground storage tank
 MACT = maximum achievable control technology
 MCL = maximum contaminant level
 MDNR = Missouri Department of Natural Resources
 MDS = minimum desirable streamflow
 MEG = Military Environmental Group
 mg/L = milligram per liter
 mg/yr = megagrams per year
 MMR = Military Munitions Rule
 mph = mile per hour
 MP&M = metal products and machinery
 M2R = Military Munitions Rule
 mrem/yr = millirem per year
 MS4 = municipal separate storm sewer system
 MSDS = material safety data sheet

MSWG = Multi-State Working Group
 MSWLF = municipal solid waste landfill
 MSWTS = municipal solid waste transfer station
 MTBE = methyl tertiary butyl ether
 MVECP = Motor Vehicle and Engine Compliance Program
 MWC = municipal waste combustion
 NAAQS = National Ambient Air Quality Standard
 NAICS = North American Industry Classification System
 NDEQ = Nebraska Department of Environmental Quality
 NDIA = National Defense Industrial Association
 NEPA = National Environmental Policy Act
 NESHAP = National Emission Standards for Hazardous Air Pollutants
 NFPA = National Fire Protection Association
 NGWA = National Ground Water Association
 NHPA = National Historic Preservation Act
 NMAC = New Mexico Administrative Code
 NMED = New Mexico Environment Department
 NOx = nitrogen oxides
 NORM = naturally occurring radioactive material
 NPDES = National Pollutant Discharge Elimination System
 NRC = Nuclear Regulatory Commission
 NREO = Northern Regional Environmental Office
 NSP = new source performance
 NSR = new source review
 OAC = Oklahoma Administrative Code
 ODEQ = Oklahoma Department of Environmental Quality
 OE = ordnance and explosives
 ORVR = onboard refueling vapor recovery
 OSHA = Occupational Safety and Health Administration
 OSPRA = Oil Spill Prevention and Response Act
 OSSF = on-site sewage facility
 P2 = pollution prevention
 PASS = Permit Application Software System
 PBT = persistent bioaccumulative toxin
 PCB = polychlorinated biphenyl
 pCi/L = picocurie per liter
 PEMS = Predictive Emission Monitoring Systems
 P.L. = public law
 PM = particulate matter
 POC = point of contact
 POM = Program Objective Memorandum
 POTW = publicly owned treatment works
 ppb = part per billion
 ppm = part per million
 PSD = prevention of significant deterioration
 PST = petroleum storage tank
 PSTTF = Petroleum Storage Tank Trust Fund
 PTE = potential to emit
 RACM = reasonably available control measures
 RACT = reasonably available control technology
 RCRA = Resource Conservation and Recovery Act
 REC = Regional Environmental Coordinator
 RFG = reformulated gasoline
 RI = remedial investigation
 RICE = reciprocating internal combustion engine
 ROD = record of decision
 SAME = Society of American Military Engineers
 SB = Senate Bill
 SDWA = Safe Drinking Water Act
 SDWIS = Safe Drinking Water Information System

SERDP = Strategic Environmental Research and Development Program
SIC = Standard Industrial Classification
SIP = State Implementation Plan
SM = Senate Measure
SPCC = Spill Prevention, Control, and Countermeasure
SQG = small quantity generator
SREO = Southern Regional Environmental Office
TAC = Texas Administrative Code
TBD = to be determined
TCEQ = Texas Commission on Environment Quality
TCM = transportation control measure
TERP = Texas Emissions Reduction Plan
TIM = Transformation of Installation Management
TMDL = total maximum daily load
TPDES = Texas Pollutant Discharge Elimination System
TRI = Toxics Release Inventory
TRI-DDS = Toxics Release Inventory – Data Delivery System
TRRP = Texas Risk Reduction Program
TSCA = Toxic Substances Control Act
tpy = tons per year
TXEP = Texas Environmental Partnership
UIC = underground injection control
USACE = U.S. Army Corps of Engineers
USAEC = U.S. Army Environmental Center
U.S.C. = United States Code
USFWS = U.S. Fish and Wildlife Service
USGS = U.S. Geological Survey
UST = underground storage tank
UXO = unexploded ordnance
VOC = volatile organic compound
WET = whole effluent toxicity
WMM = waste military munitions
WQBEL = water quality-based effluent limit
WQMP = Water Quality Management Plan
WREO = Western Regional Environmental Office
ug/L = microgram per liter

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